

EXHIBIT A

<https://research.txcourts.gov/CourtRecordsSearch/ViewCasePrint/00303bdee4a85d8ab0ed52221c80f5ae>

Case Information

Felipe Aguilar Ortega, V. Jordan Express Trucking, Inc., and Shawn Echols

21-DCV-288491

Location	Case Category	Case Type	Case Filed Date
Fort Bend - District Clerk	Civil - Injury or Damage	Motor Vehicle Accident	10/26/2021
Judge	Case Status		
Becerra, J. Christian	Open (Pending)		

Parties ³

Type	Name	Attorneys
Defendant or Respondent	Jordan Express Trucking, Inc.	
Defendant or Respondent	Shawn Echols	
Plaintiff or Petitioner	Felipe Aguilar Ortega	Frank Wade Robertson

Events ⁷

Date	Event	Type	Comments	Documents
10/26/2021	Filing	Petition	Plaintiff's Original Petition, Jury Demand, and Rule 19.37 Notice	Plaintiff's Original Petition, Jury Demand, and Rule 19.37 Notice.pdf
10/28/2021	Filing	Request	Request For Process	Civil Process Request.pdf
11/1/2021	Filing	Issuance	Citation by C/M Issued to Jordan Express Trucking, Inc.	Citation - Jordan Express Trucking, Inc..pdf, Issuance.pdf, Issuance.pdf
1/13/2022	Filing	Amended Filing	Plaintiff's First Amended Original Petition, Jury Demand, and Rule 19.37 Notice	Plaintiff's First Amended Original Petition, Jury Demand, and Rule 19.37 Notice.pdf
1/13/2022	Filing	Request	Civil Process Request	Civil Process Request.pdf
1/14/2022	Filing	Issuance	Citation Issued to Jordan Express Trucking Inc	Citation - Jordan Express Trucking Inc.pdf
1/28/2022	Filing	Officers Return	Return of Service for Jordan Express Trucking Served on 01/25/22	Return of Service for Jordan Express Trucking Served on 01/25/22.pdf

CAUSE NO.: 21-DCV-288491

FELIPE AGUILAR ORTEGA,	§	IN THE DISTRICT COURT OF
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	FORT BEND COUNTY, TEXAS
	§	
JORDAN EXPRESS TRUCKING, INC.,	§	
and SHAWN ECHOLS,	§	Fort Bend County - 434th Judicial District Court
	§	_____ JUDICIAL DISTRICT
<i>Defendants.</i>		

PLAINTIFF'S ORIGINAL PETITION, JURY DEMAND, AND RULE 193.7 NOTICE

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, FELIPE AGUILAR ORTEGA, Plaintiff in the above-styled and numbered cause, and files this, his Original Petition complaining of Defendants, JORDAN EXPRESS TRUCKING, INC. and SHAWN ECHOLS (collectively referred to as "Defendants"), and in support thereof would show unto this Honorable Court the following:

I. DISCOVERY CONTROL PLAN

1.1 Pursuant to Texas Rule of Civil Procedure 190.3 the discovery of this case is to be conducted under Level 2 Discovery Control Plan.

II. CLAIM FOR RELIEF

2.1 Plaintiff seeks monetary relief over \$1,000,000.00.

III. PARTIES

3.1 Plaintiff Felipe Aguilar Ortega ("Plaintiff Ortega") is an individual resident of Fort Bend County, Texas.

3.2 Defendant Jordan Express Trucking, Inc. ("Defendant Jordan Express") is a foreign corporation authorized to do business in the State of Texas. This action arises out of a wreck involving a truck driver who was driving on behalf of Jordan Express, a motor carrier with its principal place

EXHIBIT A

of business located in Lincoln County, Arkansas. Pursuant to the Texas Civil Practices and Remedies Code §§ 17.043-17.045, process should be served on Defendant Jordan Express by serving the Texas Secretary of State via certified mail at P.O. Box 12079, Austin, Texas 78711-2079, or via hand delivery at the James E. Rudder Building, 1019 Brazos, Room 105, Austin, Texas 78701. The Texas Secretary of State shall forward such process to the last known address for Defendant Jordan Express's registered agent for service of process: William Stuart Lee, at 10053 Highway 54 East, Star City, Arkansas 71667.

3.3 Shawn Echols ("Defendant Echols") is an individual whose address is unknown. Service is not being attempted on Defendant Echols at this time.

IV. JURISDICTION AND VENUE

4.1 The Court has jurisdiction in this cause because the damages to Plaintiff are within the jurisdictional limits of the Court.

4.2 Venue is proper in Fort Bend County pursuant to CIVIL PRACTICE AND REMEDIES CODE § 15.002(a)(1) because it is the county in which the incident giving rise to this lawsuit occurred.

4.3 Plaintiff did not cause or contribute to this occurrence.

V. FACTS

5.1 On June 6, 2021, around 3:32 a.m. in Fort Bend County, Texas, Plaintiff Ortega was driving a 2004 white Ford Crown Victoria westbound in the right-hand lane of SH-36W, near the intersection of SH-36W and Weeks Street.

5.2 Ahead of Plaintiff Ortega, Defendant Echols, a truck driver, was pulled off on the westbound emergency shoulder in his 18-wheeler sleeping in his sleeper berth. Defendant Echols was not experiencing any emergency. Defendant Echols did not engage the emergency flashers on the 18-wheeler. Defendant Echols did not have the required three emergency retroreflective triangles

EXHIBIT A

spaced pursuant to the Federal Motor Carrier Administration Regulations towards the rear of the 18-wheeler.

5.3 While Plaintiff Ortega was driving westbound on SH-36W, Plaintiff Ortega struck the illegally parked 18-wheeler in which Defendant Echols was sleeping.



5.4 Following the collision, Plaintiff Ortega was immediately taken by ambulance to Herman Memorial Hospital emergency room. Most seriously, Plaintiff Ortega was diagnosed with a severe cervical fracture and right orbital fracture. While at Herman Memorial Hospital, Plaintiff Ortega underwent a spinal surgery involving a cervical fusion.

5.5 When Defendant Echols illegally parked the 18-wheeler on the emergency shoulder defendant Echols did so under the operating authority of Defendant Jordan Express and under Defendant Jordan Express's USDOT No. 1474760.

VI. NEGLIGENCE OF DEFENDANT JORDAN EXPRESS

6.1 Defendant Jordan Express was the owner, lessor and/or lessee of the 18-wheeler tractor-trailer driven by Defendant Echols at the time of the collision. Defendant Echols was operating the 18-wheeler with Defendant Jordan Express' permission.

EXHIBIT A

6.2 At all times material to this lawsuit, Defendant Echols was an employee or statutory employee of Defendant Jordan Express and was acting within the course and scope of that employment. Consequently, Defendant Jordan Express is vicariously liable to Plaintiff Ortega for the negligent conduct of Defendant Echols under the theory of *respondeat superior*.

VII. NEGLIGENCE OF DEFENDANT ECHOLS

7.1 The incident made the basis of this lawsuit resulted from the improper conduct and negligent acts of commission and omission by Defendant Echols. Defendant Echols' conduct constituted negligence, as that term is understood in law, and such negligent conduct was a proximate cause of the occurrence and Plaintiff's injuries and damages.

7.2 Defendant Echols had a duty to exercise ordinary care when deciding where to park the 18-wheeler so that Defendant Echols could rest. Defendant Echols breached that duty of care. Defendant Echols' negligent actions and/or omissions include, but are not limited to, one or more of the following non-exclusive particulars:

- a. improperly parking on an improved shoulder without placing warning devices, in violation of 49 CFR 392.22;
- b. improperly parking on an improved shoulder in a non-emergency;
and
- c. failing to activate the emergency hazard lights on the 18-wheeler.

One, some, or all of the foregoing acts and/or omissions or others on the part of Defendant Echols constituted negligence, and such negligence was a proximate cause of the occurrence of Plaintiff's injuries and damages.

VIII. DAMAGES

8.1 As a result of the negligence of Defendants and the incident made the basis of this lawsuit, Plaintiff sustained significant injuries and damages in the past and will, in reasonable probability, sustain damages in the future.

EXHIBIT A

8.2 Plaintiff respectfully requests that the trier of fact determine the amount of his damages and the losses that he has incurred in the past and will reasonably incur in the future, as well as the monetary value of these damages, which include, but are not limited to:

- a. past and future medical care expenses;
- b. past and future loss of earning capacity and lost wages;
- c. past and future physical pain and suffering and mental anguish;
- d. past and future physical impairment; and
- e. past and future disfigurement.

8.3 Plaintiff has suffered actual damages in excess of the minimum jurisdictional limits of this Court.

IX. JURY DEMAND

9.1 Pursuant to TEXAS RULE OF CIVIL PROCEDURE 216, Plaintiff respectfully requests and demands a trial by jury. The appropriate jury fee is tendered with the filing of this pleading.

X. RULE 193.7 NOTICE

10.1 Pursuant to TEXAS RULE OF CIVIL PROCEDURE 193.7, Plaintiff hereby gives actual notice to Defendants that any and all documents produced may be used against the producing defendant without the necessity of authenticating the documents.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff Ortega respectfully prays that Defendants Jordan Express and Echols be cited in terms of law to appear and answer herein; that upon final trial and hearing hereof, Plaintiff recover damages in accordance with the evidence; that Plaintiff recover costs of court herein expended; that Plaintiff recover interest to which Plaintiff is justly entitled under the law; and such other further relief, both general and special, both in law and in equity to which Plaintiff may be justly entitled.

Respectfully submitted,

JIM S. ADLER & ASSOCIATES

/s/ Frank W. Robertson

FRANK W. ROBERTSON

State Bar No. 24033129

frobertson@jimadler.com

LANGDON "TREY" SMITH

Texas Bar No. 00797456

mgomez@jimadler.com

PHILIP K. BRODERICK

State Bar No. 24094561

pbroderick@jimadler.com

12605 East Freeway, Suite 400

Houston, Texas 77015

Telephone: (713) 335-1032

Facsimile: (713) 335-1018

ATTORNEYS FOR PLAINTIFF

EXHIBIT A

**SERVICE FEE NOT COLLECTED
BY DISTRICT CLERK**

THE STATE OF TEXAS

CITATION

**TO: JORDAN EXPRESS TRUCKING, INC.
C/O WILLIAM STUART LEE
10053 HIGHWAY 54 EAST
STAR CITY AR 71667**

NOTICE:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on Monday next following the expiration of twenty days after you were served this citation and **PLAINTIFF'S FIRST AMENDED ORIGINAL PETITION, JURY DEMAND, AND RULE 19.37 NOTICE** filed on **January 13, 2022**, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

The case is presently pending before the **434TH JUDICIAL DISTRICT COURT** of Fort Bend County sitting in Richmond, Texas. It bears cause number **21-DCV-288491** and is styled:

FELIPE AGUILAR ORTEGA, V. JORDAN EXPRESS TRUCKING, INC., AND SHAWN ECHOLS

The name and address of the attorney for **PLAINTIFF(S)** is:

**FRANK WADE ROBERTSON
JIM S ADLER & ASSOCIATES
12605 EAST FWY STE 400
HOUSTON TX 77015
713-335-1032**

The nature of the demands of said **PLAINTIFF(S)** is shown by a true and correct copy of the **PLAINTIFF'S FIRST AMENDED ORIGINAL PETITION, JURY DEMAND, AND RULE 19.37 NOTICE** accompanying this citation and made a part hereof.

If this Citation is not served, it shall be returned unserved. Issued under my hand and seal of said Court, at Richmond, Texas, **on this the 14th day of January, 2022.**

**DISTRICT CLERK BEVERLEY MCGREW WALKER
FORT BEND COUNTY, TEXAS**

Physical Address:

1422 Eugene Heimann Circle, Room 31004
Richmond, Texas 77469

Mailing Address:

301 Jackson Street, Room 101
Richmond, Texas 77469

By: Erica Rodriguez
Deputy District Clerk ERICA RODRIGUEZ
Telephone: (281) 633-7612



EXHIBIT A

21-DCV-288491

434th Judicial District Court

Felipe Aguilar Ortega, V. Jordan Express Trucking, Inc., and Shawn Echols

OFFICER'S OR AUTHORIZED PERSON'S RETURN

Came to hand on the _____ day of _____, 20__, at _____ o'clock ____M. Executed at _____, within the County of _____, at _____ o'clock ____M. on the _____ day of _____, 20__, by delivering to the within named _____, in person, a true copy of this citation together with the accompanying copy of the petition, having first attached such copy of such petition to such copy of citation and endorsed on such copy of citation the date of delivery.

Total fee for serving ____ citation at \$80.00 each \$ _____

Name of Officer or Authorized Person

County, Texas

By: _____
Signature of Deputy or Authorized Person

*State day and hour and place of serving each person.

COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a citation shall sign the return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable, or the clerk of the court, the return shall be signed under penalty of perjury and contain the following statement:

"My name is _____,
(First, Middle, Last)

my date of birth is _____, and my address is _____
(Street, City, Zip)

_____."

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed in _____ County, State of _____, on the _____
day of _____.

Declarant / Authorized Process Server

(Id # & expiration of certification)

ORIGINAL

Citation issued to Jordan Express Trucking, Inc. on 1/14/2022.

EXHIBIT A

**SERVICE FEE NOT COLLECTED
BY DISTRICT CLERK**

THE STATE OF TEXAS

CITATION

**TO: JORDAN EXPRESS TRUCKING, INC.
C/O WILLIAM STUART LEE
10053 HIGHWAY 54 EAST
STAR CITY AR 71667**

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HOUSTON TX 77015
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**DISTRICT CLERK BEVERLEY MCGREW WALKER
FORT BEND COUNTY, TEXAS**

Physical Address:

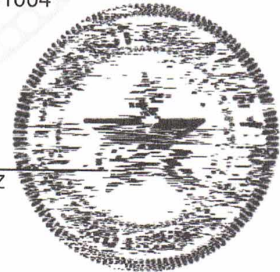
1422 Eugene Heimann Circle, Room 31004
Richmond, Texas 77469

Mailing Address:

301 Jackson Street, Room 101
Richmond, Texas 77469

By:


Deputy District Clerk ERICA RODRIGUEZ
Telephone: (281) 633-7612



SERVICE

Filed
1/13/2022 9:56 AM
Beverley McGrew Walker
District Clerk
Fort Bend County, Texas
Norma Sosa

CAUSE NO.: 21DCV288491

FELIPE AGUILAR ORTEGA,	§	IN THE DISTRICT COURT OF
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	FORT BEND COUNTY, TEXAS
	§	
JORDAN EXPRESS TRUCKING, INC.,	§	
and SHAWN ECHOLS,	§	
	§	434 th JUDICIAL DISTRICT
<i>Defendants.</i>		

**PLAINTIFF'S FIRST AMENDED ORIGINAL PETITION,
JURY DEMAND, AND RULE 193.7 NOTICE**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, FELIPE AGUILAR ORTEGA, Plaintiff in the above-styled and numbered cause, and files this, his First Amended Original Petition complaining of Defendants, JORDAN EXPRESS TRUCKING, INC. and SHAWN ECHOLS (collectively referred to as "Defendants"), and in support thereof would show unto this Honorable Court the following:

I. DISCOVERY CONTROL PLAN

1.1 Pursuant to Texas Rule of Civil Procedure 190.3 the discovery of this case is to be conducted under Level 2 Discovery Control Plan.

II. CLAIM FOR RELIEF

2.1 Plaintiff seeks monetary relief over \$1,000,000.00.

III. PARTIES

3.1 Plaintiff Felipe Aguilar Ortega ("Plaintiff Ortega") is an individual resident of Fort Bend County, Texas.

3.2 Defendant Jordan Express Trucking, Inc. ("Defendant Jordan Express") is a foreign corporation authorized to do business in the State of Texas. This action arises out of a wreck involving a truck driver who was driving on behalf of Jordan Express, a motor carrier with its principal place

of business located in Lincoln County, Arkansas. Pursuant to the Texas Civil Practices and Remedies Code §§ 17.043-17.045, process should be served on Defendant Jordan Express by serving the registered agent for service of process: William Stuart Lee, at 10053 Highway 54 East, Star City, Arkansas 71667.

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IV. JURISDICTION AND VENUE

4.1 The Court has jurisdiction in this cause because the damages to Plaintiff are within the jurisdictional limits of the Court.

4.2 Venue is proper in Fort Bend County pursuant to CIVIL PRACTICE AND REMEDIES CODE § 15.002(a)(1) because it is the county in which the incident giving rise to this lawsuit occurred.

4.3 Plaintiff did not cause or contribute to this occurrence.

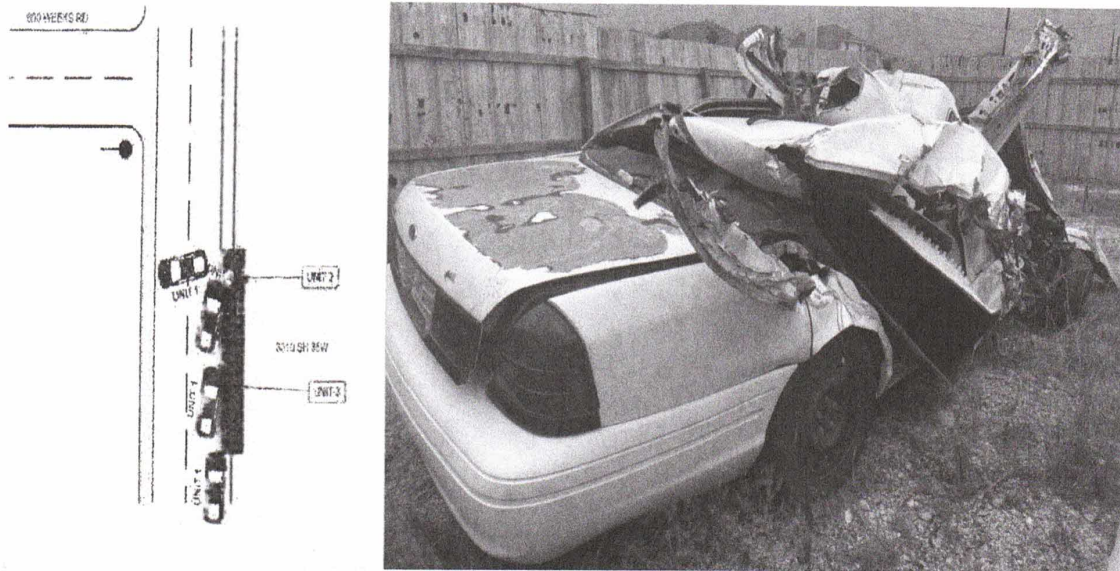
V. FACTS

5.1 On June 6, 2021, around 3:32 a.m. in Fort Bend County, Texas, Plaintiff Ortega was driving a 2004 white Ford Crown Victoria westbound in the right-hand lane of SH-36W, near the intersection of SH-36W and Weeks Street.

5.2 Ahead of Plaintiff Ortega, Defendant Echols, a truck driver, was pulled off on the westbound emergency shoulder in his 18-wheeler sleeping in his sleeper berth. Defendant Echols was not experiencing any emergency. Defendant Echols did not engage the emergency flashers on the 18-wheeler. Defendant Echols did not have the required three emergency retroreflective triangles spaced pursuant to the Federal Motor Carrier Administration Regulations towards the rear of the 18-wheeler.

5.3 While Plaintiff Ortega was driving westbound on SH-36W, Plaintiff Ortega struck the illegally parked 18-wheeler in which Defendant Echols was sleeping.

EXHIBIT A



5.4 Following the collision, Plaintiff Ortega was immediately taken by ambulance to Herman Memorial Hospital emergency room. Most seriously, Plaintiff Ortega was diagnosed with a severe cervical fracture and right orbital fracture. While at Herman Memorial Hospital, Plaintiff Ortega underwent a spinal surgery involving a cervical fusion.

5.5 When Defendant Echols illegally parked the 18-wheeler on the emergency shoulder defendant Echols did so under the operating authority of Defendant Jordan Express and under Defendant Jordan xpress's USDOT No. 1474760.

VI. NEGLIGENCE OF DEFENDANT JORDAN EXPRESS

6.1 Defendant Jordan Express was the owner, lessor and/or lessee of the 18-wheeler tractor-trailer driven by Defendant Echols at the time of the collision. Defendant Echols was operating the 18-wheeler with Defendant Jordan Express' permission.

6.2 At all times material to this lawsuit, Defendant Echols was an employee or statutory employee of Defendant Jordan Express and was acting within the course and scope of that employment. Consequently, Defendant Jordan Express is vicariously liable to Plaintiff Ortega for the negligent conduct of Defendant Echols under the theory of *respondeat superior*.

VII. NEGLIGENCE OF DEFENDANT ECHOLS

7.1 The incident made the basis of this lawsuit resulted from the improper conduct and negligent acts of commission and omission by Defendant Echols. Defendant Echols' conduct constituted negligence, as that term is understood in law, and such negligent conduct was a proximate cause of the occurrence and Plaintiff's injuries and damages.

7.2 Defendant Echols had a duty to exercise ordinary care when deciding where to park the 18-wheeler so that Defendant Echols could rest. Defendant Echols breached that duty of care. Defendant Echols' negligent actions and/or omissions include, but are not limited to, one or more of the following non-exclusive particulars:

- a. improperly parking on an improved shoulder without placing warning devices, in violation of 49 CFR 392.22;
- b. improperly parking on an improved shoulder in a non-emergency;
and
- c. failing to activate the emergency hazard lights on the 18-wheeler.

One, some, or all of the foregoing acts and/or omissions or others on the part of Defendant Echols constituted negligence, and such negligence was a proximate cause of the occurrence of Plaintiff's injuries and damages.

VIII. DAMAGES

8.1 As a result of the negligence of Defendants and the incident made the basis of this lawsuit, Plaintiff sustained significant injuries and damages in the past and will, in reasonable probability, sustain damages in the future.

8.2 Plaintiff respectfully requests that the trier of fact determine the amount of his damages and the losses that he has incurred in the past and will reasonably incur in the future, as well as the monetary value of these damages, which include, but are not limited to:

- a. past and future medical care expenses;

- b. past and future loss of earning capacity and lost wages;
- c. past and future physical pain and suffering and mental anguish;
- d. past and future physical impairment; and
- e. past and future disfigurement.

8.3 Plaintiff has suffered actual damages in excess of the minimum jurisdictional limits of this Court.

IX. JURY DEMAND

9.1 Pursuant to TEXAS RULE OF CIVIL PROCEDURE 216, Plaintiff respectfully requests and demands a trial by jury. The appropriate jury fee is tendered with the filing of this pleading.

X. RULE 193.7 NOTICE

10.1 Pursuant to TEXAS RULE OF CIVIL PROCEDURE 193.7, Plaintiff hereby gives actual notice to Defendants that any and all documents produced may be used against the producing defendant without the necessity of authenticating the documents.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff Ortega respectfully prays that Defendants Jordan Express and Echols be cited in terms of law to appear and answer herein; that upon final trial and hearing hereof, Plaintiff recover damages in accordance with the evidence; that Plaintiff recover costs of court herein expended; that Plaintiff recover interest to which Plaintiff is justly entitled under the law; and such other further relief, both general and special, both in law and in equity to which Plaintiff may be justly entitled.

Respectfully submitted,

JIM S. ADLER & ASSOCIATES

/s/ Frank W. Robertson

FRANK W. ROBERTSON

State Bar No. 24033129

frobertson@jimadler.com

LANGDON "TREY" SMITH

Texas Bar No. 00797456

mgomez@jimadler.com

PHILIP K. BRODERICK

State Bar No. 24094561

pbroderick@jimadler.com

12605 East Freeway, Suite 400

Houston, Texas 77015

Telephone: (713) 335-1032

Facsimile: (713) 335-1018

ATTORNEYS FOR PLAINTIFF

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Maria Garcia on behalf of Frank Robertson
Bar No. 24033129
mgarcia@jimadler.com
Envelope ID: 60781451
Status as of 1/13/2022 12:57 PM CST

Associated Case Party: FelipeAguilarOrtega

Name	BarNumber	Email	TimestampSubmitted	Status
Maria Garcia		mgarcia@jimadler.com	1/13/2022 9:56:10 AM	SENT

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 60826000

Status as of 1/14/2022 10:35 AM CST

Associated Case Party: FelipeAguilarOrtega

Name	BarNumber	Email	TimestampSubmitted	Status
Frank Robertson		frobertson@jimadler.com	1/14/2022 10:34:41 AM	SENT

EXHIBIT A

**SERVICE FEE COLLECTED
BY DISTRICT CLERK**

THE STATE OF TEXAS

CITATION

**TO: JORDAN EXPRESS TRUCKING, INC., WHO MAY BE SERVED BY SERVING
THE SECRETARY OF STATE AT
PO BOX 12079
AUSTIN TX 78711
WHO WILL THEN FORWARD TO THE DEFENDANT AT
C/O WILLIAM STUART LEE
10053 HIGHWAY 54 EAST
STAR CITY AR 71667**

NOTICE:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on Monday next following the expiration of twenty days after you were served this citation and **PLAINTIFF'S ORIGINAL PETITION, JURY DEMAND, AND RULE 19.37 NOTICE** filed on **OCTOBER 26, 2021**, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

The case is presently pending before the **434TH JUDICIAL DISTRICT COURT** of Fort Bend County sitting in Richmond, Texas. It bears cause number **21-DCV-288491** and is styled:

FELIPE AGUILAR ORTEGA, V. JORDAN EXPRESS TRUCKING, INC., AND SHAWN ECHOLS

The name and address of the attorney for **PLAINTIFF** is:

**FRANK WADE ROBERTSON
JIM ADLER & ASSOCIATES
12605 EAST FWY STE 400
HOUSTON TX 77015
713-335-1021**

The nature of the demands of said **PLAINTIFF** is shown by a true and correct copy of the **PLAINTIFF'S ORIGINAL PETITION, JURY DEMAND, AND RULE 19.37 NOTICE** accompanying this citation and made a part hereof.

If this Citation is not served, it shall be returned unserved. Issued under my hand and seal of said Court, at Richmond, Texas, **on this the 1st day of November, 2021.**

**DISTRICT CLERK BEVERLEY MCGREW WALKER
FORT BEND COUNTY, TEXAS**

Physical Address:

1422 Eugene Heimann Circle, Room 31004
Richmond, Texas 77469

Mailing Address:

301 Jackson Street, Room 101
Richmond, Texas 77469

By: 

Deputy District Clerk MICHELE OLGUIN
Telephone: (281) 341-4502



EXHIBIT A

21-DCV-288491

434th Judicial District Court

Felipe Aguilar Ortega, V. Jordan Express Trucking, Inc., and Shawn Echols

CERTIFICATE OF DELIVERY BY CERTIFIED MAIL

Came to hand on the 26th day of October, 2021 at 3:56 PM o'clock and executed at THE SECRETARY OF STATE, PO BOX 12079, AUSTIN TX 79711, on the November 01, 2021, by delivering to the within named JORDAN EXPRESS TRUCKING, INC., C/O REGISTERED AGENT WILLIAM STUART LEE by registered or certified mail, with delivery - restricted to addressee only, return receipt requested, a true copy of this citation together with the accompanying copy of the petition were attached thereto.

Fee..... \$8.00 Issuance + \$80.00 Service = \$88.00

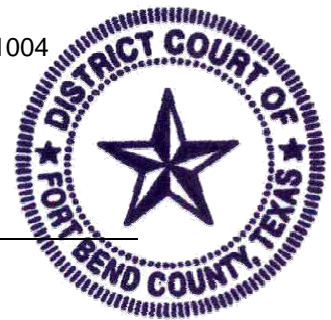
CMRRR# 9414 7266 9904 2162 3386 82

FILED**NOVEMBER 01, 2021****AT 12:31 PM***Beverley McGrew Walker*

CLERK DISTRICT COURT, FORT BEND CO., TX

**DISTRICT CLERK BEVERLEY MCGREW WALKER
FORT BEND COUNTY, TEXAS**Physical Address:1422 Eugene Heimann Circle, Room 31004
Richmond, Texas 77469Mailing Address:301 Jackson Street, Room 101
Richmond, Texas 77469By: *Michele Olguin*

Deputy District Clerk Michele Olguin

**COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.**

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a citation shall sign the return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable, or the clerk of the court, the return shall be signed under penalty of perjury and contain the following statement:

"My name is _____, my date of birth is _____,
(First, Middle, Last)

_____, and my address is _____
(Street, City, Zip)

_____."

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed in _____ County, State of _____,

on the _____ day of _____.

Declarant / Authorized Process Server

(Id # & expiration of certification)

ORIGINAL

Citation (By Certified Mail) issued to Jordan Express Trucking, Inc. on 11/1/2021.

EXHIBIT A

**SERVICE FEE COLLECTED
BY DISTRICT CLERK**

THE STATE OF TEXAS

CITATION

**TO: JORDAN EXPRESS TRUCKING, INC., WHO MAY BE SERVED BY SERVING
THE SECRETARY OF STATE AT
PO BOX 12079
AUSTIN TX 78711
WHO WILL THEN FORWARD TO THE DEFENDANT AT
C/O WILLIAM STUART LEE
10053 HIGHWAY 54 EAST
STAR CITY AR 71667**

NOTICE:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on Monday next following the expiration of twenty days after you were served this citation and **PLAINTIFF'S ORIGINAL PETITION, JURY DEMAND, AND RULE 19.37 NOTICE** filed on **OCTOBER 26, 2021**, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

The case is presently pending before the **434TH JUDICIAL DISTRICT COURT** of Fort Bend County sitting in Richmond, Texas. It bears cause number **21-DCV-288491** and is styled:

FELIPE AGUILAR ORTEGA, V. JORDAN EXPRESS TRUCKING, INC., AND SHAWN ECHOLS

The name and address of the attorney for **PLAINTIFF** is:

**FRANK WADE ROBERTSON
JIM ADLER & ASSOCIATES
12605 EAST FWY STE 400
HOUSTON TX 77015
713-335-1021**

The nature of the demands of said **PLAINTIFF** is shown by a true and correct copy of the **PLAINTIFF'S ORIGINAL PETITION, JURY DEMAND, AND RULE 19.37 NOTICE** accompanying this citation and made a part hereof.

If this Citation is not served, it shall be returned unserved. Issued under my hand and seal of said Court, at Richmond, Texas, **on this the 1st day of November, 2021.**

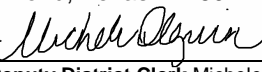
**DISTRICT CLERK BEVERLEY MCGREW WALKER
FORT BEND COUNTY, TEXAS**

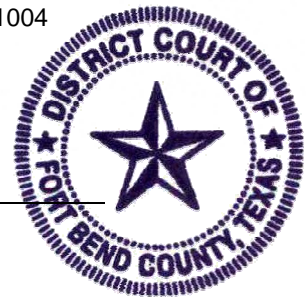
Physical Address:

1422 Eugene Heimann Circle, Room 31004
Richmond, Texas 77469

Mailing Address:

301 Jackson Street, Room 101
Richmond, Texas 77469

By: 
Deputy District Clerk Michele Olguin
Telephone: (281) 341-4502



SERVICE

EXHIBIT A

21-DCV-288491

434th Judicial District Court

Felipe Aguilar Ortega, V. Jordan Express Trucking, Inc., and Shawn Echols

CERTIFICATE OF DELIVERY BY CERTIFIED MAIL

Came to hand on the _____ at _____ o'clock and executed _____
 _____, on the _____, by delivering to the within named _____
 _____ by registered or certified mail, with delivery - restricted to addressee only, return receipt requested, a true copy of this
 citation together with the accompanying copy of the petition were attached thereto.

Fee..... \$ _____

CMRRR# _____

**DISTRICT CLERK BEVERLEY MCGREW WALKER
FORT BEND COUNTY, TEXAS**Physical Address:1422 Eugene Heimann Circle, Room 31004
Richmond, Texas 77469Mailing Address:301 Jackson Street, Room 101
Richmond, Texas 77469By: _____
Deputy District Clerk Michele Olguin**COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.**

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a citation shall sign the return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable, or the clerk of the court, the return shall be signed under penalty of perjury and contain the following statement:

"My name is _____, my date of birth is _____
 (First, Middle, Last)

_____, and my address is _____
 (Street, City, Zip)

_____."

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed in _____ County, State of _____,

on the _____ day of _____.

Declarant / Authorized Process Server_____
(Id # & expiration of certification)**SERVICE**

Citation (By Certified Mail) issued to Jordan Express Trucking, Inc. on 11/1/2021.

EXHIBIT A

Filed
1/28/2022 10:41 AM
Beverley McGrew Walker
District Clerk
Fort Bend County, Texas
Court Stamp
Yvonne Vasquez

RETURN OF SERVICE	
Notice: This document contains sensitive data	
Court	District Court 434th Judicial District Fort Bend County, Texas
Plaintiff	FELIPE AGUILAR ORTEGA
Defendant(s)	JORDAN EXPRESS TRUCKING INC.; SHAWN ECHOLS
Manner of Service	Personal
Documents	Citation; Plaintiff's First Amended Original Petition, Jury Demand and Rule 193.7 Notice
Cause #	21-DCV-288491
Came to Hand Date/Time	1/25/2022 6:50 PM
Service Date/Time	1/25/2022 7:04 PM
Service Fee:	\$75.00

I am certified under order of the Judicial Branch Certification Commission to serve process, including citations in Texas. I am not a party to or interested in the outcome of this lawsuit. My information: identification number, birth date, address, and certification expiration date appear below. I received and delivered the Specified Documents to Defendant as stated herein.

On **1/25/2022 at 7:04 PM**: I served **Citation, Plaintiff's First Amended Original Petition and Jury Demand and Rule 193.7 Notice** upon **Jordan Express Trucking Inc. c/o William Stuart Lee, REGISTERED AGENT** by delivering 1 true and correct copy(ies) thereof, with **Jordan Express Trucking Inc. c/o William Stuart Lee, REGISTERED AGENT**, I delivered the documents to **William Stuart Lee, REGISTERED AGENT** with identity confirmed by subject saying yes when named. The individual accepted service with direct delivery. The individual appeared to be a brown-haired white male contact 55-65 years of age, 6'0"-6'2" tall and weighing 180-200 lbs at 2526 East Harding avenue, Pine Bluff, AR 71601.

null

My address is: **4100 S Hwy 365, Jefferson, AR 72079, USA.**

My process server identification # is: **01SCV2078**. My Certification expires: **5/05/2023**.

Per U.S. Code § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Declaration executed in Jefferson AR county, TX.

Crystal Batson

Crystal Batson

01/25/2022

Date Executed

Ref ORTEGA/JORDAN EXPRESS (SECOND



0082227348

txefile@abclegal.com

abc legal Emily Campos

Tracking # 0082229040



CAUSE NO. 21DCV288491

FELIPE AGUILAR ORTEGA,	§	IN THE DISTRICT COURT
Plaintiff	§	
	§	
V.	§	FORT BEND COUNTY, TEXAS
	§	
JORDAN EXPRESS TRUCKING AND	§	
SHAWN ECHOLS,	§	
Defendants	§	434TH JUDICIAL DISTRICT

DEFENDANT JORDAN EXPRESS TRUCKING'S ORIGINAL ANSWER**TO THE HONORABLE JUDGE OF SAID COURT:**

COMES NOW **JORDAN EXPRESS TRUCKING**, one of the Defendants in the above numbered and entitled cause, and files this Original Answer and for such Answer would respectfully show the following:

1.

Defendant invokes the provisions of Rule 92, Texas Rules of Civil Procedure; and does thereby exercise its legal right to require Plaintiff to prove all the allegations of his pleading, which are denied, and, accordingly, Defendant generally denies the allegations of Plaintiff's pleading and demands strict proof thereof by a preponderance of the evidence.

2.

AFFIRMATIVE DEFENSES

Defendant would show that Plaintiff's damages, if any, were solely caused by matters or conditions not under the control of Defendant, or by conduct of parties over whom Defendant had no control. Said damages were caused in whole or in part by Plaintiff's negligence, acts or omissions. Accordingly, Defendant asserts all rights, privileges and remedies afforded or

available to it pursuant to Chapter 33 of the Texas Civil Practices & Remedies Code, and all applicable common and statutory laws of the state of Texas.

3.

REQUEST FOR JURY

Defendant in the above styled and numbered cause respectfully requests that this matter be set upon the Court's jury docket for trial by jury at such time as it is set for trial. Defendant would show that in conjunction with this request the requisite jury fee has been tendered to the Clerk of the Court.

WHEREFORE, PREMISES CONSIDERED, Defendant prays that Plaintiff recover nothing, that Defendant recovers costs of court, and Defendant requests general relief.

Respectfully submitted,

NAMAN, HOWELL, SMITH & LEE, PLLC
8310 Capital of Texas Highway North, Suite 490
Austin, Texas 78731
(512) 479-0300
FAX (512) 474-1901
aspy@namanhowell.com
jlea@namanhowell.com

BY: 

P. Clark Aspy
State Bar No. 01394170
Jay Lea
State Bar No. 24062843

ATTORNEY FOR DEFENDANT, JORDAN
EXPRESS TRUCKING

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been forwarded by the manner indicated below to all counsel of record on this 21st day of February 2021.

Frank Robertson
Langdon “Trey” Smith
Philip Broderick
Jim Adler & Associates
12605 East Freeway, Suite 400
Houston, Texas 77015



P. Clark Aspy

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

P. Aspy on behalf of P. Aspy
Bar No. 1394170
caspy@namanhowell.com
Envelope ID: 61927836
Status as of 2/21/2022 3:14 PM CST

Associated Case Party: FelipeAguilarOrtega

Name	BarNumber	Email	TimestampSubmitted	Status
Frank Robertson		frobertson@jimadler.com	2/21/2022 11:47:34 AM	SENT
Maria Garcia		mgarcia@jimadler.com	2/21/2022 11:47:34 AM	SENT
Norma Galindo		ngalindo@jimadler.com	2/21/2022 11:47:34 AM	SENT